

The following list contains the entire submission submitted July 25, 2023 07:00:08pm ET, and is formatted for ease of viewing and printing.

Contact information

First name	Morgan
Last name	Yardis
Mailing Address	712 H Street NE Suite 1682
City	Washington
State/Province	DC
Postal Code	20002
Country	United States
Phone	9144178011
Company/Organization	Protect The Public's Trust
Email	foia@protectpublictrust.org

Request

Request ID	799816
Confirmation ID	799256

Request description

This is a request under the Freedom of Information Act, 5 U.S.C. § 552, as amended (FOIA), from the Protect the Public's Trust (PPT), a nonpartisan organization dedicated to promoting ethics in government and restoring the public's trust in government officials. Government officials have reportedly used military aircraft for travel. Just this past spring, Secretary Buttigieg was found traveling on military aircraft (MILAIR) to a sporting event in Europe. 1 While usage of military aircraft for personal travel is especially egregious, use of MILAIR for official travel may also raise concerns. Accordingly, PPT requests the following records regarding MILAIR travel: Records Requested 1. From March 10, 2021, through November 30, 2022, records of Administrator Michael Regan's use of military aircraft, or MILAIR, for travel.

Supporting documentation

Fees

Request category ID

other

Fee waiver

yes

I. PPT Qualifies for a Fee Waiver. Under FOIA, a party is entitled to a fee waiver when “disclosure of the information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the [Federal] government and is not primarily in the commercial interest of the requester.” 5 U.S.C. § 552(a)(4)(A)(iii). The EPA FOIA regulations at 40 C.F.R. § 2.100-2.406 establish the same standard. Thus, EPA must consider four factors to determine whether a request is in the public interest: (1) whether the subject of the requested records concerns “the operations or activities of the Federal government,” (2) whether the disclosure is “likely to contribute” to an understanding of government operations or activities, (3) whether the disclosure “will contribute to public understanding” of a reasonably broad audience of persons interested in the subject, and (4) whether the disclosure is likely to contribute “significantly” to public understanding of government operations or activities. 40 C.F.R. § 2.100-2.406. As shown below, PPT meets each of these factors.

A. The Subject of This Request Concerns “The Operations and Activities of the Government.” The subject matter of this request concerns the operations and activities of EPA. This request asks for: records of Administrator Regan’s use of military aircraft, or MILAIR, for travel.

B. Disclosure is “Likely to Contribute” to an Understanding of Government Operations or Activities. The requested records are meaningfully informative about government operations or activities and will contribute to an increased understanding of those operations and activities by the public. Disclosure of the requested records will allow PPT to convey to the public information about the MILAIR travel by Administrator Regan. After disclosing the requested records, PPT will inform the public about their findings in order to ensure decisions are being made consistent with the law. Once the information is made available, PPT will analyze it and present it to its followers and the general public in a manner that will meaningfully enhance the public’s understanding of this topic. Thus, the requested records are likely to contribute to an understanding of EPA operations and activities.

C. Disclosure of the Requested Records Will Contribute to a Reasonably Broad Audience of Interested Persons’ Understanding of Operations at the EPA. The requested records will contribute to the public understanding of operations at EPA. These records will allow for a deeper understanding of instances of government officials, such as Regan, using military aircraft for travel needs. As explained above, the records will contribute to public understanding of this topic. Access to records of

Expedited processing

Expedited Processing	no
-----------------------------	----